

AO 85 (Rev. 8/97) Notice, Consent, and Order of Reference - Exercise of Jurisdiction by a United States Magistrate Judge

## UNITED STATES DISTRICT COURT

Middle

District of

Pennsylvania

Dean E. Bergstresser

Plaintiff

Robert Shannon, et al., et al.

Defendant s

NOTICE, CONSENT, AND ORDER OF REFERENCE -  
EXERCISE OF JURISDICTION BY A UNITED STATES  
MAGISTRATE JUDGE

Case Number:

00-CV-1713

NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE  
TO EXERCISE JURISDICTION

In accordance with the provisions of 28 U.S.C. 636(c), and Fed.R.Civ.P. 73, you are hereby notified that a United States magistrate judge of this district court is available to conduct any or all proceedings in this case including a jury or nonjury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge. If any party withholds consent, the identity of the parties consenting or withholding consent will not be communicated to any magistrate judge or to the district judge to whom the case has been assigned.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE  
JUDGE

In accordance with the provisions of 28 U.S.C. 636(c) and Fed.R.Civ.P. 73, the parties in this case hereby voluntarily consent to have a United States magistrate judge conduct any and all further proceedings in the case, including the trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

Signatures

Party Represented

Date

*[Signature]*  
*[Signature]*

respondents

11/2/00

petitioner

11/10/00

FILED

HARRISBURG, PA

## ORDER OF REFERENCE

NOV 21 2000

IT IS HEREBY ORDERED that this case be referred to J. Andrew Spurr, MARY E. D'ANDREA, CLERK  
United States Magistrate Judge, for all further proceedings and the entry of judgment in accordance with 28 U.S.C. 636(c)  
Fed.R.Civ.P. 73 and the foregoing consent of the parties.

Nov. 21, 2000

Date

*[Signature]*  
United States District Judge

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED  
ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

November 21, 2000

Re: 1:00-cv-01713 Bergstresser v. Shannon

True and correct copies of the attached were mailed by the clerk  
to the following:

Peter Goldberger, Esq.  
50 Rittenhouse Place  
Ardmore, PA 19003-2276

Jeffrey E. Leber, Esq.  
1 East 3rd Street  
P.O. Box 429  
Coudersport, PA 16915

District Attorney of Potter County  
1 East 3rd Street  
Loudersport, PA 16915

Attorney General of Commonwealth  
Office of the Attorney General  
15th Floor, Strawberry Square  
Harrisburg, PA 17120

cc:

Judge

Magistrate Judge

U.S. Marshal

Probation

U.S. Attorney

Atty. for Deft.

Defendant

Warden

Bureau of Prisons

Ct Reporter

Ctroom Deputy

Orig-Security

Federal Public Defender

Summons Issued

Standard Order 93-5

Order to Show Cause

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with N/C attached to complt. and served by:  
U.S. Marshal ( ) Pltf's Attorney ( )

with Petition attached & mailed certified mail  
to: US Atty Gen ( ) PA Atty Gen ( )

Bankruptcy Court ( )  
Other \_\_\_\_\_ ( )

DA of County ( ) Respondents ( )

MARY E. D'ANDREA, Clerk

DATE: \_\_\_\_\_

11/21/00

BY: \_\_\_\_\_

Deputy Clerk